

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA  
SOUTHERN DIVISION**

**R. BRIAN JONES,**

*Plaintiff,*

v.

**STATE FARM MUTUAL  
AUTOMOBILE INSURANCE  
COMPANY,**

*Defendant.*

**CASE NO. 1:08-CV-29**

**PLAINTIFF'S MOTION TO REMAND TO STATE COURT**

**COMES NOW**, Plaintiff, R. Brian Jones, by and through counsel and hereby files this Motion to Remand to State Court by stating as follows:

1. On or about January 11, 2008, Defendant filed a Notice of Removal of the above-styled cause based upon diversity of citizenship and that the jurisdictional amount in controversy exceeds \$75,000.00.
2. Plaintiff disputes that the jurisdictional amount in controversy exceeds \$75,000.00 and hereby stipulates to this Court and Defendant that he is not seeking damages in excess of \$75,000.00.
3. Based upon the stipulation made by Plaintiff, the present motion should be granted thereby remanding this action back to the Circuit Court of Houston County, Alabama for prosecution therein.

**WHEREFORE**, all premises considered, Plaintiff requests this Court to grant this Motion to Remand to State Court.

**PRIM, FREEMAN & MENDHEIM**

/s/ R. Cliff Mendheim

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R. Cliff Mendheim (MEN008)

Attorney for Plaintiff

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**CERTIFICATE OF SERVICE**

I hereby certify that on January 15, 2008 I electronically filed the foregoing with the Clerk of Court using the CM/ECF system which will send notification of such filing to all counsel of record as follows:

Michael S. Jackson, Esq.

Attorney for Defendant

P.O. Box 1988

Montgomery, AL 36102-1988

/s/ R. Cliff Mendheim

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Of Counsel